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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,392	12/12/2001	Brian K. Dewey	164055.01	2633

22971 7590 06/06/2006

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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/021,392	Applicant(s) DEWEY ET AL.	
	Examiner Cam Y T. Truong	Art Unit 2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant has amended claims 1, 21 and 32 in the amendment filed on 4/20/2006.

Claims 1-41 are pending in this Office Action.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that Bly does not teach claim1.

In response: As to claim 1, Bly teaches the claimed limitations:

"receiving an request directed to locating at least one version of a selected file or folder" as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

"automatically obtaining a set of data corresponding to at least one prior version of that selected file or folder that may be maintained such that its data is accessible" as fig. 12 displays a list of different versions (previous version and updated version) of each entry. These versions are stored in a folder 102. Users can copies all of these versions of entries from folder 102 to book 40. It means

that a user can copies each previous version or prior version of each entry to the book 40. Thus, a user can select a previous version of an entry and invokes the show detail component symbol 45 in header 41 of shard book window 42 shown in fig. 2. When a user selects the previous version of the entry, the system will automatically contain a set of properties corresponding to previous version of the entry such as the displaying detail properties of updated version of the entry in fig. 5&6. The previous version of the entry is maintained to create the updated version. Copying the previous version of the entry to book 40 indicates that the set of properties corresponding to the previous version of the entry is accessible (col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10). "the set of data enabling the accessibility of at least one prior version of the selected file or folder" as displaying a set of data such as a list of remote files or entries as shown in fig. 12. Users may copy entries 44 from folder 102 to desktop 32 or book 40. For example, a user can access the first entry name Bond Fund End Section to access the prior version of the selected folder 102 (col. 37, lines 7-11); "returning information corresponding to accessibility of the at least one version of the file or folder in response to the request" as when a user selects a shared book entry, the system displays all versions of entry details sheet 60A including fields for the entry's name (fig. 5, col. 20, lines 60-67).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 5, 9, 12, 15, 17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Shen (US 6611850).

As to claim 1, shen teaches the claimed limitations:

“receiving a request directed to locating at least one version of a selected file or folder” as as shown in fig. 1, a computer or a desktop PC having a interface to receive a request directed to locating of one version of a selected file. The computer or desktop PC is represented as the local client (col. 11, lines 35-41; col. 12, lines 1-15);

“automatically obtaining a set of data corresponding to at least one prior version of that selected file or folder that may be maintained such that its data is accessible” as the backup/restore execution control unit 214 will, basing on the restore execution information received, read in the backup file from the backup file hard disk 110 as file server and using that backup file copy restore the thisfile.dol file to the original file hard disk 108. If the selection is to allow to overwrite the current file in the orginal file hard disk 108 with the restored file,

then it will copy the file thisfile.doc.1997.07.01.15.30 as thisfile.doc and overwrite the existing file thisfile.doc. The above information shows that the thisfile.doc.1997.07.01.15.30 as a set of data corresponding a prior version of the selected file that is maintained (col. 20, lines 1-20);

“returning information corresponding to the set of data” ” as the backup/restore execution control unit 214 will, basing on the restore execution information received, read in the backup file from the backup file hard disk 110 as file server and using that backup file copy restore the thisfile.dol file to the original file hard disk 108. If the selection is to allow to overwrite the current file in the original file hard disk 108 with the restored file, then it will copy the file thisfile.doc.1997.07.01.15.30 as thisfile.doc and overwrite the existing file thisfile.doc. The above information shows that the file server corresponding to the request by returning the thisfile.doc.1997.07.01.15.30 as a set of data corresponding a prior version of the selected file that is maintained (col. 20, lines 1-20).

As to claim 2, Shen teaches the claimed limitation “wherein the request is received from a user interface” as (fig. 9).

As to claim 5, Shen teaches the claimed limitation “wherein automatically obtaining a set of data comprises, requesting a list of one or more timestamps, each timestamp corresponding to a shadow volume” as (col. 19, lines 55-67).

As to claim 9, Shen teaches the claimed limitation “wherein automatically obtaining a set o data comprises, requesting attributes for each prior version of the selected file or folder that may be maintained” as (col. 23, lines 1-40).

As to claim 12, Shen teaches the claimed limitation “wherein returning information corresponding to the set of data in response to the request comprises returning a set of timestamps corresponding to shadow volume” as (col. 19, lines 45-67; col. 20, lines 1-5).

As to claim 15, Shen teach the claimed limitation “embedding an identifier corresponding to a selected file on a shadow volume in a request to access the selected file or file attributes from that respective shadow volume” as (col. 23, lines 1-40).

As to claim 17, Shen teaches the claimed limitation “wherein the identifier corresponding to the selected file comprises a timestamp” as (col. 17, lines 50-67).

As to claim 19, Shen teaches the claimed limitation “receiving a second request directed to restoring a selected file version in the set, and accessing the selected file version in response to the request” as (col. 20, lines 5-25).

As to claim 20, Shen teaches the same claimed limitation subject matter in claim 1.

5. Claims 1, 2, 4, 5, 7, 9, 12-15, 17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bly et al (or hereinafter "Bly") (USP 5008853).

As to claim 1, Bly teaches the claimed limitations:

"receiving an request directed to locating at least one version of a selected file or folder" as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

"automatically obtaining a set of data corresponding to at least one prior version of that selected file or folder that may be maintained such that its data is accessible" as fig. 12 displays a list of different versions (previous version and updated version) of each entry. These versions are stored in a folder 102. Users can copies all of these versions of entries from folder 102 to book 40. It means that a user can copies each previous version or prior version of each entry to the book 40. Thus, a user can select a previous version of an entry and invokes the



show detail component symbol 45 in header 41 of shard book window 42 shown in fig. 2. When a user selects the previous version of the entry, the system will automatically contain a set of properties corresponding to previous version of the entry such as the displaying detail properties of updated version of the entry in fig. 5&6. The previous version of the entry is maintained to create the updated version. Copying the previous version of the entry to book 40 indicates that the set of properties corresponding to the previous version of the entry is accessible (col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10). “the set of data enabling the accessibility of at least one prior version of the selected file or folder” as displaying a set of data such as a list of remote files or entries as shown in fig. 12. Users may copy entries 44 from folder 102 to desktop 32 or book 40. For example, a user can access the first entry name Bond Fund End Section to access the prior version of the selected folder 102 (col. 37, lines 7-11); “returning information corresponding to accessibility of the at least one version of the file or folder in response to the request” as when a user selects a shared book entry, the system displays all versions of entry details sheet 60A including fields for the entry’s name (fig. 5, col. 20, lines 60-67).

As to claim 2, Bly teaches the claimed limitation “wherein the request is received from a user interface” as (col. 9, lines 30-40).

As to claim 5, Bly teaches the claimed limitation "requesting a list of one or more timestamps" as (fig. 3, col. 18, lines 15-25), each timestamp corresponding to a shadow volume" as (fig. 2).

As to claim 9, Bly teaches the claimed limitation "requesting attributes for each prior version of the selected file or folder that may be maintained" as (figs. 13-15).

As to claim 12, Bly teaches the claimed limitation "returning a set of timestamps corresponding to shadow volumes" as (figs. 3-4).

As to claim 13, Bly teaches the claimed limitation "displaying information corresponding to the set to enable user selection of a timestamp-identified shadow volume" as (fig. 2).

As to claim 14, Bly teaches the claimed limitation "requesting a list of one or more timestamps, each timestamp corresponding to a shadow volume, and further comprising, embedding a timestamp corresponding to a selected file on a shadow volume in a request to access the selected file or file attributes from that respective shadow volume" as (figs. 2-4, col. 23, lines 5-20).

As to claim 15, Bly teach the claimed limitation "embedding an identifier corresponding to a selected file on a shadow volume in a request to access the selected file or file attributes from that respective shadow volume" as (fig. 3, col. 23, lines 50-60).

As to claim 17, Bly teaches the claimed limitation "wherein the identifier corresponding to the selected file comprises a timestamp" as (fig. 3, col. 23, lines 50-60).

As to claim 19, Bly teaches the claimed limitation "receiving a second request directed to restoring a selected file version in the set, and accessing the selected file version in response to the request" as (col. 37, lines 50-67).

As to claim 20, Bly teaches the same claimed limitation subject matter in claim 1.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Sherman (USP 5832508).

As to claim 3, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "an operating system shell user interface".

Sherman teaches a graphical user interface shell 145 on an operating system (fig. 1B, col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sherman's teaching of Shell interface into Shen's system in order to allow a user to enter operating system commands on the service provider's system through a command-line interface.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Sherman (USP 5832508).

As to claim 3, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "an operating system shell user interface".

Sherman teaches a graphical user interface shell 145 on an operating system (fig. 1B, col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sherman's teaching of Shell interface into Bly's system in order to allow a user to enter operating system commands on the service provider's system through a command-line interface.

9. Claims 4, 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly in view of Burns et al (or hereinafter "Burns") (US 6088694).

As to claim 4, Bly does not explicitly teach the claimed limitation "wherein the request is received via an application programming interface call".

Burns teaches application program interface (API) (col. 1, lines 20-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Burns's teaching of API to Bly's system in order to provide access to files stored in a remote server.

As to claim 6, Bly does not explicitly teach the claimed limitation "wherein the shadow volumes are maintained as differential files".

Burns teaches delta file (col. 6, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Burns' teaching of (the delta files) to Bly's system in order to provide a system for utilizing differencing as a means for reducing the network transmission cost, and reducing the storage requirement in the backup subsystem of a client-server system.

As to claim 7, Bly teaches the claimed limitation "wherein the shadow volumes are maintained on at least one remote server" as (col. 18, lines 10-25).

10. Claims 4, 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Burns et al (or hereinafter "Burns") (US 6088694).

As to claim 4, Shen does not explicitly teach the claimed limitation "wherein the request is received via an application programming interface call".

Burns teaches application program interface (API) (col. 1, lines 20-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Burns's teaching of API to Shen's system in order to provide access to files stored in a remote server.

As to claim 6, Shen does not explicitly teach the claimed limitation "wherein the shadow volumes are maintained as differential files".

Burns teaches delta file (col. 6, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Burns' teaching of (the delta files) to Shen's system in order to provide a system for utilizing differencing as a means for reducing the network transmission cost, and reducing the storage requirement in the backup subsystem of a client-server system.

As to claim 7, Shen teaches the claimed limitation "wherein the shadow volumes are maintained on at least one remote server" as (fig. 9; col. 11, lines 10-40).

11. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly in view of Burns and further in view of Harrison et al (or hereinafter "Harrison").

As to claim 8, Bly does not teach the claimed limitation "wherein communication with the remote server is via a CIFS file access protocol". Harrison teaches Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison's Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly's system in order to allow users to communicate with server via network system.

12. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Burns and further in view of Harrison et al (or hereinafter "Harrison").

As to claim 8, Shen does not teach the claimed limitation "wherein communication with the remote server is via a CIFS file access protocol". Harrison teaches Microsoft compatible format (Server Message Block or

SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison's Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly's system in order to allow users to communicate with server via network system.

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Almond et al (or hereinafter "Almond") (USP 6112024).

As to claim 10, Shen discloses the claimed limitation subject matter in claim 1, except the claimed limitation "filtering any information indicative of a prior version that does not exist".

Almond teaches that when a user, using a particular version, issues a query to delete a record, the version control subsystem 11 enables the DBMS 12 to determine whether the row 20(i) containing the record version associated with the version is also associated with other versions higher in the version hierarchy. In that operation, the DBMS 12 can determine whether the row 20(i) contains, in the version identifier field 22, the version identifier for the particular version. If so, the DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that



the record has been deleted. On the other hand, if the DBMS 12 determines that the row 20(i) does not contain, in the version identifier field 22, the version identifier for the particular version, which may be the case if the record has not been created or updated in that version, it will create a new record version for the version for which the record is to be deleted, in the manner described above, and sets the delete flag 26 in that record version. The DBMS is represented as a filter flag 26 to indicate the record has been deleted. When record has been deleted, this means that the prior version of record has been deleted too (col. 12, lines 1-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Almond's teaching of after filtering the version identifier for the particular version, DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that the record has been deleted to Shen's system in order to let a user know the file does not exist.

14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Almond et al (or hereinafter "Almond") (USP 6112024).

As to claim 10, Bly discloses the claimed limitation subject matter in claim 1, except the claimed limitation "filtering any information indicative of a prior version that does not exist".

Almond teaches that when a user, using a particular version, issues a query to delete a record, the version control subsystem 11 enables the DBMS 12 to determine whether the row 20(i) containing the record version associated with the version is also associated with other versions higher in the version hierarchy. In that operation, the DBMS 12 can determine whether the row 20(i) contains, in the version identifier field 22, the version identifier for the particular version. If so, the DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that the record has been deleted. On the other hand, if the DBMS 12 determines that the row 20(i) does not contain, in the version identifier field 22, the version identifier for the particular version, which may be the case if the record has not been created or updated in that version, it will create a new record version for the version for which the record is to be deleted, in the manner described above, and sets the delete flag 26 in that record version. The DBMS is represented as a filter flag 26 to indicate the record has been deleted. When record has been deleted, this means that the prior version of record has been deleted too (col. 12, lines 1-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Almond's teaching of after filtering the version identifier for the particular version, DBMS 12 will set the deleted flag 26 for the row 20(i), thereby to indicate that the record has been deleted to Bly's system in order to let a user know the file does not exist.

15. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Vasudevan et al (or hereinafter "Vasudevan") (USP 6598059).

As to claim 11, Shen does not teach the claimed limitation "filtering information indicative of a prior version that is not unique with respect to a prior version already represented in the set". Vasudevan teaches filtering record version that includes duplicate versions (col. 9, lines 45-55; col. 18, lines 1-25). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Vasudevan's teaching of filtering record version that includes duplicate versions to Shen's system in order to save time a user to search/retrieve records having duplicated versions.

16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Vasudevan et al (or hereinafter "Vasudevan") (USP 6598059).

As to claim 11, Bly does not teach the claimed limitation "filtering information indicative of a prior version that is not unique with respect to a prior version already represented in the set". Vasudevan teaches filtering record version that includes duplicate versions (col. 9, lines 45-55; col. 18, lines 1-25). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Vasudevan's teaching of filtering record version that includes duplicate versions to Bly's system in order to save time a user to search/retrieve records having duplicated versions.

17. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 16, Shen does not the claimed limitation "wherein the identifier corresponding to the selected file is embedded in the request such that distributed file system server name changes at distributed file system -junction points do not affect the identifier". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an inadequate identifier, since the name can be changed over time to Shen's system in order to save time for processing an attribute of a file.

18. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 16, Bly does not the claimed limitation "wherein the identifier corresponding to the selected file is embedded in the request such that

distributed file system server name changes at distributed file system -junction points do not affect the identifier". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an inadequate identifier, since the name can be changed over time to Bly's system in order to save time for processing an attribute of a file.

19. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Martin, Jr. et al (or hereinafter "Martin") (USP 6610105).

As to claim 18, Shen does not teach the claimed limitation "flagging a request to access the selected file or file attributes from that respective shadow volume to indicate that the request corresponds to a shadow volume". However, Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag "wml" so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin's teaching of access to the right file is dependent on a flag in the request to Shen's system in order to let the system known user can access the file.

20. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly in view of Martin, Jr. et al (or hereinafter "Martin") (USP 6610105).

As to claim 18, Bly does not teach the claimed limitation "flagging a request to access the selected file or file attributes from that respective shadow volume to indicate that the request corresponds to a shadow volume". However, Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag "wml" so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin's teaching of access to the right file is dependent on a flag in the request to Bly's system in order to let the system known user can access the file.

21. Claims 21-26 and 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (US 6611850) in view of Huang et al (or hereinafter "Huang") (US 6571245).

As to claim 21, Shen teaches the claimed limitations:

“a local client, the local client having a interface configured to receive a request directed to locating at least one prior version of a selected file” as shown in fig. 1, a computer or a desktop PC having a interface to receive a request directed to locating of one version of a selected file. The computer or desktop PC is represented as the local client (col. 11, lines 35-41; col. 12, lines 1-15);

“a network communication mechanism” as Local area network or Ethernet (col. 11, lines 15-20);

“a remote server connected to the local client via the communication mechanism” as the file server such as the original file hard 108 and/or the backup file hard disk 110 connected to the computer 100 via a local network area (col. 11, lines 10-20);

“the remote file server having at least one prior version of the selected file maintained thereon” as the remote file server or the backup file hard disk 110 having different version of a file. For example, Thesefile.ini has two time stamps 97/11/4 at 9:30 and 97/11/6 at 15:12. The time stamp 97/11/4 indicates a prior version of the thesefile and time stamp 97/11/6 indicates that the file is maintained (fig. 4, col.15, lines 25-34);

“the interface communicating a request for file version information to the remote file server” as shown in fig. 3, displaying a interface that contains files, a user selects the files to restore, as well as select the time period to restore the files. After the files are selected. the system restores the selected file to its state

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of 5 minutes ago, 1 hour ago, 1 day ago , 1 week ago and 1 month ago from the current time for the selected file based on user's request using file backup to restore the original file. The backup file 110 is stored in the file server. The above information shows that the interface communicates a request for a file version information to the file server or backup file 110 (col. 12, lines 1-10; col. 14, lines 15-20; col. 19, lins 45-67),

"the remote file server responding to the request by returning a set of data corresponding to the at least one prior version of the selected file maintained thereon" as the backup/restore execution control unit 214 will, basing on the restore execution information received, read in the backup file from the backup file hard disk 110 as file server and using that backup file copy restore the thisfile.dol file to the original file hard disk 108. If the selection is to allow to overwrite the current file in the original file hard disk 108 with the restored file, then it will copy the file thisfile.doc.1997.07.01.15.30 as thisfile.doc and overwrite the existing file thisfile.doc. The above information shows that the file server corresponding to the request by returning the thisfile.doc.1997.07.01.15.30 as a set of data corresponding a prior version of the selected file that is maintained (col. 20, lines 1-20);

"the interface displaying information corresponding to the at least one prior version of the selected file for selection of the at least one prior version for restoration from the remote server" as displaying a list versions of a selected for selection of the at last one prior version for restoration from the file server (fig. 9);



“such that, when selected, the at least one prior version of the file selected file replaces the at least one version of the file” as If the selection is to allow to overwrite the current file in the original file hard disk 108 with the restored file, then it will copy the file thisfile.doc.1997.07.01.15.30 as thisfile.doc and overwrite the existing file thisfile.doc. The above information shows that the file server corresponding to the request by returning the thisfile.doc.1997.07.01.15.30 as a set of data corresponding a prior version of the selected file that is maintained (col. 20, lines 1-20).

Shen does not explicitly teach the claimed limitation “the file server filtering the set of data to ensure that the set of data corresponds to the at least one prior version of the selected file maintained thereon”.

Huang teaches the backend server determines whether a user command has been received. If the answer is yes, the file synchronization application retrieves information on the files in the sync folder on the local PC and the virtual desktop. A determination is made, whether the selected file is current. This is performed by comparing the file information and noting the differences. If the selected file needs updating, the older file is updated with the newer file by either saving the newer file as a new version or under a new name. The above information shows that the backend server filters the versions of the selected file in local PC with the versions of the file in the virtual desktop to ensure that the version of the selected file in local PC corresponds to the version of the selected file in virtual desktop (col. 16, lines 1-10; col. 16, lines 50-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Huang's teaching of the backend server determines whether a user command has been received. If the answer is yes, the file synchronization application retrieves information on the files in the sync folder on the local PC and the virtual desktop. A determination is made, whether the selected file is current. This is performed by comparing the file information and noting the differences. If the selected file needs updating, the older file is updated with the newer file by either saving the newer file as a new version or under a new name to Shen's system in order to backup/restore versions of a file correctly so that providing a user correct file for updating in future processing.

As to claim 22, Shen teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via a redirector" as (fig. 9, col. 11, lines 5-20; col. 16, lines 25-35).

As to claim 23, "wherein the interface include a user interface" as (fig. 9).

As to claim 24, "wherein the interface includes an application program interface" as (fig. 9).

As to claim 25, wherein the set of data corresponding to the at least one prior version of the file comprise at least one timestamp" as (figs. 3&4).

As to claim 26, Shen teaches the claimed limitation “wherein each timestamp corresponds to a shadow volume” as (fig. 9).

As to claim 30, Shen teaches the claimed limitation “wherein the interface is further configured to communicate with the remote server to obtain file attributes” as (fig. 9).

22. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (US 6611850) in view of Huang et al (or hereinafter “Huang”) (US 6571245) and further in view of Cane et al (or hereinafter “Cane”) (US 2002/0129047).

As to claim 27, Shen does not explicitly teach the claimed limitation “wherein each shadow volume includes a differential file corresponding thereto”.

Cane teaches a file backup on the system include the entire original file and a plurality of incremental or differential change files (the delta files) (col. 3, lines 60-62).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Cane’s teaching of a file backup on the system include the entire original file and a plurality of incremental or differential change files (the delta files) to Shen’s system in order to provide a system for utilizing differencing as a means for reducing the network transmission cost, and

reducing the storage requirement in the backup subsystem of a client-server system.

23. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Huang and further in view of Martin, Jr. et al (or hereinafter "Martin") (USP 6610105).

As to claim 28, Shen teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via a redirector" as (fig. 9). Shen does not teach the claimed limitation "wherein the redirector is configured -to flag requests seeking information from a shadow volume". Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag "wml" so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin's teaching of access to the right file is dependent on a flag in the request to Shen's system in order to let the system known user can access the file.

24. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen in view of Huang and further in view of Harrison et al (or hereinafter "Harrison").

As to claim 29, Shen does not teach the claimed limitation "wherein the remote file server communicates with the local client via a CIFS file access protocol". Harrison teaches Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison's Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly's system in order to allow users to communicate with server via network system.

25. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (US 6611850) in view of Huang and further in view of Groff et al (or hereinafter "Groff") (USP 5787411).

As to claim 31, Shen does not teach the claimed limitation "wherein the interface is further configured to filter the information that is displayed based on the file attributes". Groff teaches an interface is constructed to filter database records

that are displayed including attributes such as order date, shipped date (fig. 7, col. 13, lines 25-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Groff's teaching of constructing an interface to filter database records that are displayed including attributes such as order date, shipped date to Shen's system in order to return correct record based on user's input.

26. Claims 21-27, 30, 32-36 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Benayoun (US 6510552) and Morris (US 5634052).

As to claim 21, Bly teaches the claimed limitations:

"a local client, the local client having an interface configured to receive a request directed to locating at least one prior version of a selected file" as a local client such as a desktop 32, which has an interface or a window to receives a request of a user directed to the remote location where shared book 40 is to reside at the time the user initially creates a particular instance of a shared book 40 from a blank shared book prototype shown at 40 in fig. 3. The shared book 40 has at least one prior version such as Bond fund end section, version 5 (figs. 1&12, col. 18, lines 13-20);  
40-60);

"a network communication mechanism" as network communication (col. 15, lines 15-24);

"a remote file server- connected to the local client via the communication mechanism" as user workstations such as computer 32s are connected to network file server 16 (col. 15, lines 19-25),

"the remote file server having at least one prior version of the selected file maintained thereon" as the number of remote versions of each shared book entry to be maintained on the file server (col. 17, lines 50-52);

"the interface communicating a request for file version information to the remote file server" as a local client such as a desktop 32, which has an interface or a window to receives a request of a user directed to the remote location where shared book 40 is to reside at the time the user initially creates a particular instance of a shared book 40 from a blank shared book prototype shown at 40 in fig. 3. The shared books application automatically stores such entries to and retrieve entries from a specified file server. The shared book 40 has at least one prior version such as Bond fund end section, version 5. The above information shows that the user request is communicated to the remote server for causing the shared books application automatically stores and retrieves entries from a specified server 16 (figs. 1&12, col. 18, lines 13-25);

"the remote file server responding to the request by returning a set of data corresponding to the at least one prior versions of the selected file maintained thereon" as a local client such as a desktop 32, which has an interface or a

window to receives a request of a user directed to the remote location where shared book 40 is to reside at the time the user initially creates a particular instance of a shared book 40 from a blank shared book prototype shown at 40 in fig. 3. The shared books application automatically stores such entries to and retrieve entries from a specified file server. The user can copy entries 44 of the remote server to their desktop 32. It means that the server returns a set of entries corresponding user request at least one prior version of shared book as a file. The shared book 40 has at least one prior version such as Bond fund end section, version 5. The above information shows that the user request is communicated to the remote server for causing the shared books application automatically stores and retrieves entries from a specified server 16 (figs. 1&12, col. 18, lines 13-25; col. 19, lines 1-10);

“the interface displaying information corresponding to the at least one of prior version of the selected file for selection of the at least one prior version for restoration from the remote server” as an example of a folder 102 of remote file is shown in the window representation of a folder in fig. 12. Users may copy entries 44 from folder 102 to desktop 32 or book 40. The folder 102 includes many versions of files. A user can select a previous version to copy from folder 102 to desktop 32. When a user copy an entries of file (including a previous version) to desktop 32, it means that copied entries (a previous version) is restored in desktop from remote server (col. 37, lines 7-10).



Bly does not explicitly the claimed limitation "such that, when selected, the at least one prior version of the selected file replaces the at least one version of the file; the file server filtering the set of data to ensure that the set of data corresponds to the at least one prior version of the selected file maintained thereon".

Benayoun teaches the claimed limitation "such that, when selected, the at least one prior version of the selected file replaces the at least one version of the file" as when a user believes that the current version is erroneous, and therefore wishes to return to a previous version, the user initiates a delete command. The apparatus receives this command and removes the first item (e.g., the most recent ) on the list, and deletes the current version N. The new current version is the preceding one, version N-1 (e.g., the next newest) (col. 3, lines 24-30).

Morris teaches the claimed limitation "the file server filtering the set of data to ensure that the set of data corresponds to the at least one prior version of the selected file maintained thereon" as the server backup program determines whether the file that was received from the client 21 was a changed version of the base file. The above information shows that the server filters the a version of a file corresponding one prior version of the selected file (col. 10, lines 50-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Benayoun's teaching of when a user believes that the current version is erroneous, and therefore wishes to return to a previous version, the user initiates a delete command. The apparatus receives

this command and removes the first item (e.g., the most recent ) on the list, and deletes the current version N. The new current version is the preceding one, version N-1 (e.g., the next newest) and Morris's teaching of the server backup program determines whether the file that was received from the client 21 was a changed version of the base file to Bly's system in order to restore a previous version of a file when file system is corrupted, to solve the drawbacks due to the storing of an erroneous version and further backup/restore versions of a file correctly so that providing a user correct file for updating in future processing.

As to claim 22, Bly teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via a redirector" as (col. 15, lines 15-20).

As to claim 23, Bly teaches the claimed limitation "wherein the interface includes a user interface" as (fig. 3).

As to claim 24, Bly teaches the claimed limitation "wherein the interface includes an application programming interface" as (col. 15, lines 5-10).

As to claim 25, Bly teaches the claimed limitation "wherein the set of data corresponding to the at least one the prior versions of file comprises at least one timestamp" as (fig. 12, col. 37, lines 1-10).

As to claim 26, Bly teaches the claimed limitation "wherein each timestamp corresponds to a shadow volume" as (col. 18, lines 10-25).

As to claim 27, Bly teaches the claimed limitation "wherein each shadow volume includes a differential file corresponding thereto" as (col. 20, lines 60-67).

As to claim 30, Bly teaches the claimed limitation " wherein the interface is further configured to communicate with the remote server to obtain file attributes" as (fig. 12).

As to claim 32, Bly teaches the claimed limitations:

"receiving a request to locate information corresponding to prior versions of a file or folder" as the shared structured data objects, which are located in a remote digital storage facility or file service represented as a file drawer abstraction of the desktop, are accessed by users to place a digital copy of a digital copy of a structured data object on the user's desktop for subsequent manipulation, editing, revision, insertion of new material. This information indicates that the remote digital storage facility has to receive a request to place a digital copy of a structured data object on the user's desktop. A digital copy of a structured data object is represented as a selected file (col. 3, lines 60-67);

“obtaining a set of at least one timestamp, each timestamp corresponding to a shadow volume that may have a prior version of the file or folder maintained therein” as (figs. 12&3, col. 18, lines 10-25);

“for each timestamp in the set, requesting file or folder attributes from the corresponding volume” as (col. 29, lines 1-25).

“developing a list based on each response to the request for file or folder attributes, each entry in the list indicative of the accessibility of the file or folder associated with each entry” as (fig. 12, col. 37, lines 7-11);

“providing prior file or folder version information and accessibility of the prior file or folder versions based on the list in response to the request to locate information, such that the information enable retrieval of a corresponding version of a file or folder in the list” as fig. 12 displays a list of different versions (previous version and updated version) of each entry. These versions are stored in a folder 102. Users can copies all of these versions of entries from folder 102 to book 40. It means that a user can copies each previous version or prior version of each entry to the book 40. Thus, a user can select a previous version of an entry and invokes the show detail component symbol 45 in header 41 of shard book window 42 shown in fig. 2. When a user selects the previous version of the entry, the system will automatically contain a set of properties corresponding to previous version of the entry such as the displaying detail properties of updated version of the entry in fig. 5&6. The previous version of the entry is maintained to create the updated version. Copying the previous version of the entry to book 40

indicates that the set of properties corresponding to the previous version of the entry is accessible (col. 19, lines 56-63; col. 20, lines 60-68; col. 37, lines 7-10).

Bly does not explicitly teach the claimed limitation "wherein selection of a prior version of the file replaces the most current version of the file; wherein the shadow volume includes a differential file corresponding thereto".

Benayoun teaches the claimed limitation "wherein selection of a prior version of the file replaces the most current version of the file" as when a user believes that the current version is erroneous, and therefore wishes to return to a previous version, the user initiates a delete command. The apparatus receives this command and removes the first item (e.g., the most recent ) on the list, and deletes the current version N. The new current version is the preceding one, version N-1 (e.g., the next newest) (col. 3, lines 24-30).

Morris teaches a server stores delta files (col. 8, lines 20-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Benayoun's teaching of when a user believes that the current version is erroneous, and therefore wishes to return to a previous version, the user initiates a delete command. The apparatus receives this command and removes the first item (e.g., the most recent ) on the list, and deletes the current version N. The new current version is the preceding one, version N-1 (e.g., the next newest) and Morris's teaching of storing delta files in a server to Bly's system in order to restore a previous version of a file when file system is corrupted, to solves the drawbacks due to the storing of an erroneous

version and to provide a system for utilizing differencing as a means for reducing the network transmission cost, and reducing the storage requirement in the backup subsystem of a client-server system.

As to claim 33, By teaches the claimed limitation “wherein receiving a request to locate information comprises receiving an API call” as (col. 29, lines 1-15)

As to claim 34, Bly teaches the claimed limitation “wherein obtaining a set of at least one timestamp comprises communicating with at least one remote file server having at least one shadow volume thereon” as (fig. 12, col. 29, lines 1-15).

As to claim 35, Bly teaches the claimed limitation “wherein requesting file or folder attributes from the corresponding volume comprises, identifying the shadow volume via its corresponding timestamp in the request” as (fig. 12, col. 26, lines 1-30).

As to claim 36, Bly teaches the claimed limitation “embedding the timestamp in a path provided to the remote file server” as (fig. 4).

As to claim 41, Bly teaches the same claimed limitation subject matter in claim 32, further teaches “ a computer-readable medium having computer-executable instructions for performing (col. 15, lines 15-20).

27. Claim 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter “Bly”) (USP 5008853) in view of Benayoun and Morris and further in view of Harrison et al (or hereinafter “Harrison”).

As to claim 29, Bly does not teach the claimed limitation “wherein the remote file server communicates with the local client via a CIFS file access protocol”. Harrison teaches Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol (col. 4, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Harrison’s Microsoft compatible format (Server Message Block or SMB/Common Internet File System or CIFS). Finally, to enable network storage device 15 to communicate over the network, a Network TCP/IP Protocol into Bly’s system in order to allow users to communicate with server via network system.

28. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Benayoun and Morris and further in view of Trede et al (or hereinafter "Trede") (USP 5873103).

As to claim 37, Bly does not teach the claimed limitation "wherein the timestamp is embedded in the path such that distributed file system server name changes at distributed file system junction points do not affect the timestamp". Trede teaches that the name of the storage server is an inadequate identifier, since the name can be changed over time. Since the name of server can be changed. However, the system does not mention whether or not the change of server name can affect the timestamp. Thus, the change of server name may not affect the time same (col. 11, lines 1-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Trede's teaching of the name of the storage server is an inadequate identifier, since the name can be changed over time to Bly's system and Benayoun's system in order to save time for processing an attribute of a file.

29. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Benayoun and Morris and further in view of Martin, Jr. et al (or hereinafter "Martin") (USP 6610105).

As to claim 28, Bly teaches the claimed limitation "wherein the interface communicates the request for file version information to the remote file server via



a redirector” as (fig. 2, col. 18, lines 10-25). Bly does not teach the claimed limitation “wherein the redirector is configured -to flag requests seeking information from a shadow volume”. Martin teaches that the exact access to the right file is dependent on a flag in the request as an example shown in FIG. 4A. A request from the mobile device, if executing a WML browser, comprises a flag “wml” so that the menu generation server can be advised of which file shall be fetched (col. 11, lines 55-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Martin’s teaching of access to the right file is dependent on a flag in the request to Bly’s system in order to let the system known user can access the file.

30. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter “Bly”) (USP 5008853) in view of Benayoun and Morris and further in view of Groff et al (or hereinafter “Groff”) (USP 5787411).

As to claim 31, Bly does not teach the claimed limitation “wherein the interface is further configured to filter the information that is displayed based on the file attributes”. Groff teaches an interface is constructed to filter database records that are displayed including attributes such as order date, shipped date (fig. 7, col. 13, lines 25-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Groff’s teaching of constructing an interface to

filter database records that are displayed including attributes such as order date, shipped date to Bly's system in order to return correct record based on user's input.

31. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Benayoun and further in view of Mason.

As to claim 38, Bly does not teach the claimed limitation "flagging the request such that the remote file server will detect the embedded timestamp". Mason teaches when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received (col. 16, lines 10-20).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Mason's teaching of when the SELECT request is received, a server subprocess will be initiated to flag and timestamp the event packet as selected and issue a BORROW or COPY request to the central library facility to cause it to borrow or copy the document of the event packet if it exists in the central library facility and transmit the document to the remote processor from which the request SELECT was received to Bly's system

and Benayoun's system in order to indicate to server to select information for response to a user's request.

32. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bly et al (or hereinafter "Bly") (USP 5008853) in view of Benayouns and further in view of Barney et al (or hereinafter "Barney") (USP 6212512).

As to claim 39, Bly does not teach the claimed limitation "determining from the response to the request for file or folder attributes whether the file or folder exists on the shadow volume identified via a timestamp, and if so, including an entry representing the corresponding timestamp in the list". Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this

component to Bly's system and Benayouns' system in order to return a correct list of files to a user properly.

As to claim 40, Bly and Benayouns disclose the claimed limitation subject matter in claim 32, except the claimed limitation "wherein developing a list comprises, determining from the response to the request for file or folder attributes whether a unique file or folder entry exists in the list, and if not, adding an entry representing the corresponding timestamp to the list". Barney teaches that the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component (col. 7, lines 20-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Barney's the protection list editor scheduler 226 component is a standalone utility that allows the user to create and modify a profile of files on their system that they would like to have protected on a regular basis. Individual files, file types, whole folders and sub-folders, as well as wild cared entries may be added or removed from the protection list from this component to Bly's system and Benayouns' system in order to return a correct list of files to a user properly.

### **Conclusion**

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nishigaki et al (US 5043871).

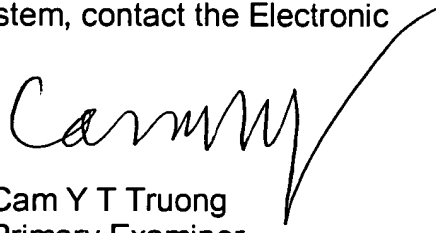
Arnold et al (US 6263360).

***Contact Information***

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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5/30/06